

WILLIAM J. SCHROEDER, WSBA No. 7942
WILLIAM C. SCHROEDER, WSBA No. 41986
PAINE HAMBLLEN LLP The Honorable Salvador Mendoza, Jr.
717 West Sprague Avenue, Suite 1200
Spokane, Washington 99201-3505
Telephone: (509) 455-6000
Facsimile: (509) 838-0007
william.schroeder@painehamblen.com
will.schroeder@painehamblen.com

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 06, 2016

SEAN F. MCAVOY, CLERK

Attorneys for Defendants

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

RYAN LOVELADY AND LACEY L.)
LOVELADY,) No. CV-15-221-SMJ
)
Plaintiffs,) ORDER GRANTING JOINT
) MOTION TO DISMISS WITHOUT
vs.) PREJUDICE
)
GARRY WILL, DBA WILL LOGGING)
AND CONSTRUCTION, TIMM BRAD,)
CASCADE AND COLUMBIA RIVER)
RAILROAD COMPANY,)
RAILAMERICA, INC. GENESEE &)
WYOMING, INC.,)
)
Defendants.)

THIS MATTER comes before the Court on the parties' Joint Motion to
Dismiss Without Prejudice, defendants RailAmerica, Inc. and Genesee &

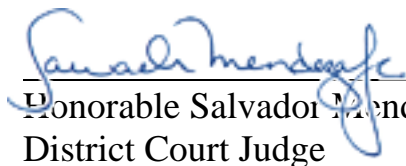
ORDER GRANTING JOINT MOTION TO DISMISS
WITHOUT PREJUDICE - 1

PAINE HAMBLLEN LLP
717 WEST SPRAGUE AVENUE, SUITE 1200
SPOKANE, WA 99201
PHONE (509) 455-6000 FAX (509) 838-0007

Wyoming, Inc. [16]. The Court has considered the request, the Joint Motion of the Parties, and, finding that good cause exists,

IT IS HEREBY ORDERED that the Joint Motion to Dismiss Without Prejudice is hereby granted [16]. Defendants RailAmerica Inc. and Genesee & Wyoming, Inc. are hereby dismissed from the present matter without prejudice and without cost or attorney fees to any party. Should discovery reveal that the presence in the instant matter of RailAmerica Inc. and Genesee & Wyoming, Inc. becomes necessary, the either or each may be re-joined. This case otherwise remains active as to the claims between plaintiffs Ryan Lovelady and Lacy L. Lovelady and defendants Garry Will d/b/a Will Logging & Construction, Timm Brad and Cascade & Columbia River Railroad Company.

DATED this 6th day of January, 2016.


Honorable Salvador Mendoza, Jr.
District Court Judge